

REMARKS/ARGUMENTS

Claims 6 and 9 are now pending in this application, with claim 6 being the only independent claim. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claim Amendments

Independent claim 6 is amended to include the limitations of dependent claim 8 and now recites that the width of the cooling duct is “approximately 0.25 times the height”. Entrance of this amendment is requested.

Claims 7 and 8 are canceled without prejudice or disclaimer.

Claim Rejection Under 35 USC §§102 and 103

Claims 6 and 9 stand rejected under 35 U.S.C. §103 as anticipated by DE 27 46 901 (Marsch).

Claims 7 and 8 stand rejected under 35 U.S.C. §103 as unpatentable over Marsch.

Independent claim 6 now includes the limitations of previous dependent claim 8 which recites that the width of the cooling duct is “approximately 0.25 times the height” and further recites “the cross-sectional area of the cooling duct being approximately twice the cross-sectional area of the inflow line”.

In his rejection of claim 8, the Examiner alleges that applicant has not disclosed how making the cooling duct with the recited width and height ratio solves any particular problem or is for any purpose. The Examiner further alleges that it appears the invention would perform equally well with the width and height being the same ratio in regard to width and height.

Applicant disagrees with the Examiner's allegation because paragraph 0010 of the original application specifically provides the following:

“A cooling duct which is formed in this way may be made to extend to close to the combustion chamber, thus extending into the end region of the nozzle which is subjected to the highest thermal stress. Furthermore, a large wall surface 8 of the cooling duct 6 which faces the internal region of the nozzle is made available for the transfer of heat to the cooling water.”

Accordingly, the applicant does provide a purpose for the particular width to height ratio. In particular, the purpose of (1) extending the cooling duct as close as possible to the combustion chamber and (2) providing a large wall surface on a side of the cooling duct that faces the internal region of the nozzle for the transfer of heat to the cooling water.

Marsch does not seem to disclose the recited width to height ratio of the cooling duct as now recited in independent claim 6 or the teaching or suggestion of the purpose of the present invention. Accordingly, Marsch fails to disclose or provide motivation for the width of the colling duct being “approximately 0.25 times the height”, which is now expressly recited in independent 6.

In addition, Marsch fails to disclose “the cross-sectional area of the cooling duct being approximately twice the cross-sectional area of the inflow line”. As described in the original application, this feature provides a high flow rate of cooling medium and thus a large rate of dissipation. There is no mention of a ratio between the cross-section area of the cooling duct and the cross-section area of the inflow line in Marsch. Accordingly, Marsch fails to disclose teach or suggest “the cross-sectional area of the cooling duct being approximately twice the cross-sectional area of the inflow line”, as expressly recited in independent claim 6.

Dependent claim 9, being dependent on independent claim 6, is allowable for at least the same reasons as is independent claim 6, as well as for the additional recitations contained therein.

In view of the above amendments and remarks, the application is now deemed to be in condition for allowance and notice to the effect is solicited.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: February 13, 2007